

ENTERED

February 14, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DONALD RAY WILLIAMS SR,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. 2:18-CV-47
	§	
LORIE DAVIS,	§	
	§	
Respondent.	§	


ORDER

This case was originally filed as a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. (D.E. 1). While inmate Donald Ray Williams uses the standard form for filing a habeas petition, upon review, the Court finds Mr. Williams is not seeking habeas relief. Rather, Mr. Williams is seeking relief on a variety of civil rights claims. (D.E. 1, Page 12). The Court further notes Mr. Williams has accumulated 13 strikes for filing frivolous lawsuits as an inmate and appears to be attempting to circumvent the three strikes bar to proceed *in forma pauperis*. Pursuant to the three strikes rule, 28 U.S.C. 1915(g), a prisoner who has had, while incarcerated, three or more actions or appeals dismissed as frivolous, malicious, or for failure to state a claim upon which relief can be granted is prohibited from bring any more actions or appeals *in forma pauperis*. Additionally, Mr. Williams has received at least three monetary sanctions for, among other things, filing documents written in blood. *See In re: Donald Ray Williams*, No. 6:98-mc-29 (E.D. Tex. June 1, 1998) (Order issuing \$100.00 sanction for sending dried blood); *see also In re: Donald Ray Williams*, No. 6:98-mc-30 (E.D. Tex. June 1, 1998) (same); *see also Williams v. Johnson*, No. 6:98-cv-112 (E.D. Tex. May 21,

1999) (Order issuing \$50.00 sanction for attempting to circumvent previous sanctions and \$75.00 sanction for sending “food loaf” and “dental hygenic items” to the court).

The Court construes this action as a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Therefore, Mr. Williams is **ORDERED** to pay the \$400.00 filing fee in full on or before **March 6, 2018** or to file a fully completed motion to proceed *in forma pauperis*. In the event Mr. Williams moves to proceed *in forma pauperis*, Mr. Williams is further **ORDERED** to show cause on or before **March 6, 2018**, why he should not be barred from proceeding *in forma pauperis* pursuant to the three strikes rule. If Mr. Williams fails to comply with this Order, the Court may dismiss this case for want of prosecution. Fed. R. Civ. P. 41(b).

ORDERED this 14th day of February, 2018.


Jason B. Libby
United States Magistrate Judge